

**From:** Bryan W. Headley  
**To:** Microsoft ATR  
**Date:** 1/9/02 4:08pm  
**Subject:** Microsoft Settlement Comments

Dear Sirs,

From what I understand, the bulk of the Microsoft punishment involves the donation of computers and software to school districts.

As someone who lives in a school district that's teetering on consolidation (e.g., bankruptcy), let me tell you that giving school districts computers is not a beneficial act. With more computers, classrooms either have to be built or expanded to handle the extra equipment. More teachers have to be hired, and this is money we do not have. To be honest with you, we don't have the money to do extracurricular activities (e.g., football, basketball, etc.)

This is like other well-intentioned attempts to help schools: in Illinois, we have the state lottery benefitting schools by helping on infrastructure costs. The Americans with Disabilities act hurt, as the costs of making the existing plants accessible wasn't covered by this. And so, I ask you: what good are plants (buildings) when you cannot afford the headcount? When you cannot afford the materials?

A lot of people do not understand how taxation works, in regards to municipal governments. Looking at my area, you'd assume there's a sufficient tax base. Not so: we have densely-populated residential, with little industry. So, where's the tax base for that school district? The base for students is evident.

So, the act of public service is not beneficial. Unless we're talking about schools that are well-financed, but for some reason do not have computer education. I cannot imagine schools operating in such a vacuum.

Having mentioned industries, let's expound on the behaviour Microsoft has been accused (and found guilty of.) By engaging in predatory tactics, Microsoft weaken many of their competitors. Consider WordPerfect, once of Orem, UT. They used to have a successful product; their employees and they were in a position where they can contribute to the economic health of their neighborhoods. Now gone, who has stepped up to take their place in filling the tax coffers?

Now, let's go into what I'm certain a lot of writers have pointed out to you: allowing Microsoft to pay off their debt to society in Microsoft software. This is more effective in establishing brand identity with the next generation of software users than any advertising I know of. What's the cost of the software? Are they writing this software off at full retail cost? Do you know how much it costs to mass produce CDs in

quantity? Pennies.

I'm trying to think of something as distasteful as this settlement. This is not an exact simile, but I have to think of a dope pusher being forced to give free illicit drugs to children. What? You think those children WON'T want more dope? And, heh! This pusher gets to write off the expense, having been directed to performing this community service by judge.

If you are of a mind to go for a financial settlement, do like you did with the tobacco companies: make the company settle in cash. How the states opt to use the cash is something we can work on ourselves. I might never see any of that money appear in my school district, but we might get better roads and be able to attract/retain industries.

By the way, regards to these computers: where are they coming from? China, Taiwan, Indonesia? That hardly helps out American manufacturing firms who make computers. And you know, the healthier these industries are, the better able they are to contribute to our local economy.

As it stands now, we'd be better served if you forced the Microsoft board of directors to personally take roadside cleaning responsibilities for a 1/2 mile off of an interstate in Seattle.

Thank you for your time and consideration,

Bryan W. Headley

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